

Rev 09/03

Application: 09/786,435  
Filed: March 20, 2001  
TC Art Unit: 1645  
Confirmation No.: 1324

WEINGARTEN, SCHURGIN, GAGNEBIN & LEROVICI LLP  
Ten Post Office Square  
Boston, Massachusetts 02109  
Telephone: (617) 542-2390  
Telecopier: (617) 451-0313

Date: December 17, 2003

Attorney  
Docket No.: MBP-005XX

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: Kerstin Kriegelstein

Entitled: USE OF TGF-BETA INHIBITORS FOR TREATING CEREBRAL DISORDERS

## VIA FACSIMILE

Mail Stop AP  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 17, 2003 of the Examiner finally rejecting claims 1, 5-8 and 11-18.

Authorization is provided herewith to charge Deposit Account No. 23-0804 (\$840.00) for the cost of such extension to cover the Notice of Appeal fee.

The following checked items are appropriate:

01 FC:1253 840.00 DA  
02 FC:1401 330.00 DA

A timely response to the final rejection:

[X] has been filed [ ] is hereby filed

An extension of time to respond to the final rejection:

- [X] was requested on October 17, 2003 for 1 month;
- [X] is hereby requested for 3 month(s) and authorization is provided herewith to charge Deposit Account No. 23-0804 (\$840.00) for the cost of such extension.
- [ ] is included on the enclosed amendment transmittal form along with a check in the amount of \$\_\_\_\_\_ for the extension fee.

[X] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Vanessa L. Ford, TC Art Unit 1645, Fax No. (703) 872-9306, on 12-17-03.

SUBMIT IN TRIPLICATE  
CBK/kmr/299717-1

Attorney of Record: Charles L. Gagnebin III  
Registration No.: 25,167